

SUPREME COURT OF WASHINGTON

DAVID T. MCDONALD, ET AL.,

Petitioners,

v.

SECRETARY OF STATE SAM REED, ET
AL,

Respondents.

NO.

DECLARATION OF JOSHUA C.
JUNGMAN IN SUPPORT OF
PETITION FOR WRIT OF
MANDAMUS

I, Joshua C. Jungman, declare under penalty of perjury of the laws of the State of Washington that the following is true and correct:

1. I am competent to make this declaration and do so upon personal knowledge as indicated.

2. The facts stated herein are accurate to my personal knowledge or are based upon information compiled under my supervision. I believe them to be accurate.

DECLARATION OF JOSHUA C. JUNGMAN
IN SUPPORT OF PETITION FOR WRIT OF
MANDAMUS - 1

[15934-0006-000000/DOCUMENT.02]

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3. I am a staff member for the WSDCC. For the last two weeks I and two staff members under my supervision have contacted the county auditors in the state to investigate the methods used to compare and verify signatures on absentee and provisional ballots during the 2004 general election canvass and the recount. Each office was asked two questions regarding signature verification: (1) Did they attempt to compare the signatures on the back of the provisional envelope to the signature contained in the registered voter file? and (2) If they did, what procedures and standards were used?

4. We recorded the answers during the actual conversation with the auditors' offices. I kept a spreadsheet on one computer in which I collected all of the notes of conversations that were recorded for this purpose by the staff members. The notes taken to document the answers, and to the extent we could the names of the people who gave the answers, are recorded in Exhibit 1.

5. All counties reported using the same procedures and standards for absentee ballots as used for provisional ballots, except for those counties that reported not doing any signature comparison for provisional ballots.

6. We also asked the county auditors for the total number of absentee and provisional ballots in their counties and for the numbers of absentee and provisional ballots rejected because of signature mismatches. The results of these questions are attached as Exhibit 2.

DATED this 3rd day of December, 2004 in Seattle, Washington.


Joshua C. Jungman

DECLARATION OF JOSHUA C. JUNGMAN
IN SUPPORT OF PETITION FOR WRIT OF
MANDAMUS - 2

[15934-0006-000000/DOCUMENT.02]

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	Did they attempt to compare the signatures on the back of the provisional envelope to the signature they had on file? If so, what methods and standards were used?
Adams	Don't check signatures on ballots voted at polls/provisional ballots.
Asotin	Yes. They use "the 3 point rule." This year all signatures matched. Elaine "They always matched we don't have any crooks here, we have all honest people."
Benton	Yes. They receive training from election conferences on what to look for. They look at curvature, slant, to see if the letters generally match. They follow "all statutory and administrative procedures." If one staff member doesn't think a signature matches, then two staff members look at it, then if it still doesn't match it goes to the canvassing board. There were no staff level rejection of signature mismatches for provisional ballots this year. This is the most PB they have ever had, usually have between 200-300 in a general election. They also send out update letters to a voter if signature doesn't match.
Chelan	They do not match signatures on provisional ballots, they are treated as poll ballots, and poll voter signatures are not checked.
Columbia	Yes. It's an all mail county. To even get a PB the voter has to go to the Auditor's office. Before a voter is given a PB they look them up on the computer and check name/signature. They check signatures again when counting, they look for a number of comparing points, but there is no specific number. If the staff thinks the signature doesn't match, it goes to the canvassing board. The board eyeballs it, they are "very liberal" with what matches, and it's not very often that a signature doesn't match. All signatures matched this year, and they usually do.
Clark	Yes. Try to find three similarities, but if there are less, then they look closer to see if any consistency. Look for similarities including: beginning letter of names, where the stroke ends, slant, relation of signature to line, size of signature, individual letters within name, place where letter descends below line, unique characteristics (swoops curls). Look to see if may have changed over time. If a worker finds a mismatch it goes to the supervisor. If supervisor also thinks it is a mismatch, they will print out any image of the voters signature on file (voter reg. card, absentee ballot request, etc.) and send it to the canvassing board.